DOCUMENT RESUME

ED 379 792 EA 026 543

AUTHOR	Stedman, James B.
TITLE	Improving America's Schools Act: An Overview of P.L. 103-382. CRS Report for Congress.
INSTITUTION	Library of Congress, Washington, D.C. Congressional Research Service.
REPORT NO	CRS-94-872-EPW
PUB DATE	28 Oct 94
NOTE	54p.
PUB TYPE	Reports - Descriptive (141)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	*Educational Improvement; *Educationally Disadvantaged; Elementary Secondary Education; *Federal Legislation; *Federal Programs; Federal Regulation; Federal State Relationship; State Federal Aid
IDENTIFIERS	*Goals 2000

ABSTRACT

The Improving America's Schools Act of 1994 (IASA) was signed into law on October 20, 1994, as P.L. 103-382. The legislation reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) through fiscal year 1999. The ESEA authorizes most federal elementary and secondary education programs, including the Title I program to provide compensatory education to educationally disadvantaged students. It also amends other legislation and establishes new programs outside of the ESEA. The amendments made to the ESEA reflect the following themes: (1) the creation of linkages between major ESEA programs and systemic education reform; (2) increased administrative flexibility for states, localities, and schools; (3) a new focus on several areas of emerging educational and social interest; and (4) somewhat greater targeting on students and schools with high needs. Among the major programs amended or established are the Title I program, the Dwight D. Eisenhower Professional Development program, the Technology for Education of All Students, the Safe and Drug-Free Schools and Communities Act, the Bilingual Education Act, the Public Charter Schools program, the Fund for the Improvement of Education, the Innovative Education Program Strategies, and Impact Aid. Appendices summarize funding levels for ESEA and IASA programs and compare provisions in prior law with the ESEA (as amended by the IASA). Four tables are included. (LMI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

94-872 EPW

ED 379 792

CRS Report for Congress

Improving America's Schools Act: An Overview of P.L. 103-382

James B. Stedman, Coordinator
Specialist in Social Legislation
Education and Public Welfare Division

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☒ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

October 28, 1994

BEST COPY AVAILABLE

CRS

EA 026 543

Congressional Research Service • The Library of Congress

BEST COPY AVAILABLE

IMPROVING AMERICA'S SCHOOLS ACT: AN OVERVIEW OF P.L. 103-382

SUMMARY

The Improving America's Schools Act of 1994 (IASA) was signed into law on October 20, 1994, as P.L. 103-382. This legislation reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) through FY 1999. The ESEA, funded for FY 1995 at $10.0 billion, authorizes most Federal elementary and secondary education programs, including the title I program to provide compensatory education to educationally disadvantaged students. The IASA also amends other legislation and establishes new programs outside of the ESEA. The House version of the IASA, H.R. 6, was passed on March 24, 1994. The Senate version, S. 1513, was passed on August 2, 1994. The conference version of H.R. 6 was agreed to by the House on September 30, 1994, and by the Senate on October 5, 1994.

The amendments made to the ESEA reflect several broad themes:

- **Linkages are created between major ESEA programs and systemic education reform**, particularly as supported by Goals 2000: Educate America Act (P.L. 103-227).

- **States, localities, and schools will have increased administrative flexibility under ESEA programs.**

- **The ESEA is newly focused on several areas of emerging educational and social interest**, such as technology use in education, alternative management of public schools, and school safety.

- **Somewhat greater targeting on students and schools with high needs is accomplished,** primarily through changes to the title I allocation formulas

Among the major programs amended or established by the IASA are the following: The **title I program** is amended to direct additional funds to relatively high-poverty areas and schools, authorize grants to reward States with high fiscal effort and low disparity in their school finance programs, link its programs with efforts toward systemic reform of public education, expand the number of schools eligible to operate title I programs on a schoolwide basis (as opposed to limiting services to particular students), expand planning requirements, increase attention to professional development, and expand parental involvement requirements. The **Dwight D. Eisenhower Professional Development program** broadens the focus on professional development to include subject areas beyond math and science. A new authority--**Technology for Education of All Students**--supports efforts to integrate technology into the processes and curriculum of schools. The **Safe and Drug-Free Schools and Communities Act** is an extension of prior law with a key change, inclusion of school safety as the focus of this Act. The **Bilingual Education Act** is amended to provide grants to schools at different stages of serving limited English proficient students. Alternative approaches to school management are supported through the **Public Charter Schools** program and the **Fund for the Improvement of Education**. The education block grant is modified and retained as **Innovative Education Program Strategies**. Also, **Impact Aid** is added as a new ESEA title.

TABLE OF CONTENTS

INTRODUCTION 1

IASA TITLE I--AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 3
ESEA Title I--Helping Disadvantaged Children Meet High Standards . . 3
Part A--Improving Basic Programs Operated by Local Educational Agencies 3
Allocation Formula 3
Other Part A Provisions 6
Part B--Even Start Family Literacy Programs 7
Part C--Education of Migratory Children 7
Part D--Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk of Dropping Out . 8
Part E--Federal Evaluations, Demonstrations, and Transition Projects 8
ESEA Title II--Dwight D. Eisenhower Professional Development Program 9
Part A--Federal Activities 9
Part B--State and Local Activities 9
Part C--Professional Development Demonstration Project 10
ESEA Title III--Technology for Education 10
Part A--Technology for Education of All Students 10
Part B--Star Schools Program 11
Part C--Ready-To-Learn Television 11
Part D--Telecommunications Demonstration Project for Mathematics 11
Part E--Elementary Mathematics and Science Equipment Program . 11
Part F--Elementary and Secondary School Library Media Resources Program 12
ESEA Title IV--Safe and Drug-Free Schools and Communities 12
Part A--State Grants for Drug and Violence Prevention Programs . 12
ESEA Title V--Promoting Equity 12
Part A--Magnet Schools Assistance 12
Part B--Women's Educational Equity 13
Part C--Assistance to Address School Dropout Problems 13
ESEA Title VI--Innovative Education Program Strategies 13
ESEA Title VII--Bilingual Education, Language Enhancement, and Language Acquisition Programs 14
Part A--Bilingual Education 14
Part B--Foreign Language Assistance Program 14
Part C--Emergency Immigrant Education Program 15
ESEA Title VIII--Impact Aid 15
ESEA Title IX--Indian, Native Hawaiian, and Alaska Native Education . 16
Part A--Indian Education 16
Part B--Native Hawaiians 17
Part C--Alaska Native Education 17

ESEA Title X--Programs of National Significance 17
Part A--Fund for the Improvement of Education 17
Part B--Gifted and Talented Children 18
Part C--Public Charter Schools 18
Part D--Arts in Education 19
Part E--Inexpensive Book Distribution Program 19
Part F--Civic Education 19
Part G--Allen J. Ellender Fellowship Program 20
Part H--De Lugo Territorial Education Improvement Program . . . 20
Part I--21st Century Community Learning Centers 20
Part J--Urban and Rural Education Assistance 20
Part K--National Writing Project 20
Part L--The Extended Time for Learning and Longer School Year . 21
Part M--Territorial Assistance 21
ESEA Title XI--Coordinated Services 21
ESEA Title XII--School Facilities Infrastructure Improvement Act 21
ESEA Title XIII--Support and Assistance Programs to Improve Education 21
Part A--Comprehensive Regional Assistance Centers 22
Part B--National Diffusion Network 22
Part C--Eisenhower Regional Mathematics and Science Education Consortia 22
Part D--Technology-Based Technical Assistance 23
ESEA Title XIV--General Provisions 23
Part B--Flexibility in the Use of Administrative and Other Funds . . 23
Part C--Coordination of Programs; Consolidated State and Local Plans and Applications 23
Part D--Waivers 24
Part E--Uniform Provisions 24
Prohibitions Regarding Such Issues as School Prayer, Promotion of Sexual Activity, and Federal Influence on Instructional Content and Curriculum 24
Part F--Gun Possession 25
Part G--Evaluations 25
Part H--Sense of Congress 26

IASA TITLE II--AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT 26

IASA TITLE III--AMENDMENT TO OTHER ACTS 26
Part A--Amendments to the Individuals with Disabilities Education Act . 26
Part B--Education for Homeless Children and Youth 27
Part C--Repeal of Impact Aid Statutes 28
Part D--Amendments to the Adult Education Act 28
Part E--Higher Education 28
Part F--Other Acts 28
Part G--Library Services and Construction Reauthorization 28
Part H--Amendments to Statutes Pertaining to Indian Education 29

IASA TITLE IV--NATIONAL EDUCATION STATISTICS 29

IASA TITLE V--MISCELLANEOUS PROVISIONS 30
Part A--Albert Einstein Distinguished Educator Fellowship Act of 1994 . 30
Part B--Community School Partnerships 30
Part C--1994 Institutions 30
Part D--Workers Technology Skill Development 30
Part E--Multiethnic Placement 30
Part F--Miscellaneous 31

APPENDIX A: AUTHORIZATIONS AND APPROPRIATIONS 32
AGGREGATE AMOUNTS, FY 1994 AND FY 1995 32
SPECIFIC PROGRAM LEVELS FOR FY 1995 33
AUTHORIZATIONS BEYOND FY 1995 43

APPENDIX B: COMPARISON OF PROVISIONS IN PRIOR LAW WITH THE ESEA, AS AMENDED BY THE IASA 45

LIST OF TABLES

TABLE A-1. Aggregate Funding Levels for Improving America's Schools of 1994 (IASA) and Elementary and Secondary Education Act of 1965 (ESEA) Programs, FY 1994 and FY 1995 34

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 IASA), and FY 1995 Budget Appropriations 36

TABLE A-3. Improving America's Schools Act of 1994 (IASA): Programs First Authorized in FY 1996 44

TABLE B-1. Major Provisions of the Previous ESEA and Related Legislation, With Comparable Provisions in ESEA as Amended by the IASA 45

CONTRIBUTORS: The following CRS specialists and analysts contributed to this report: Steven R. Aleman, Richard N. Apling, Susan Boren, Paul M. Irwin, Bob Lyke, Wayne Riddle, James B. Stedman, and Liane White.

IMPROVING AMERICA'S SCHOOLS ACT: AN OVERVIEW OF P.L. 103-382

INTRODUCTION

The Improving America's Schools Act (IASA), signed into law on October 20, 1994 (P.L. 103-382), rewrites the Elementary and Secondary Education Act of 1965 (ESEA), authorizing its programs through FY 1999.[1] The ESEA, funded for FY 1995 at $10.0 billion, authorizes most Federal elementary and secondary education programs, including the title I program that provides compensatory education to educationally disadvantaged students. The IASA also amends other legislation and establishes new programs outside of the ESEA. This report provides an overview of the major provisions of the IASA, focusing primarily on the ESEA.

Several broad themes undergird this legislation, primarily as they affect the ESEA:

- **Linkages are created between major ESEA programs and systemic education reform**, particularly as supported by the Goals 2000: Educate America Act.[2] Future ESEA title I funding is made contingent upon States having plans that include curriculum content standards and pupil performance standards, a requirement that could be met by State plans and standards developed under Goals 2000. Also, the Innovative Education Program Strategies initiative, which modifies and extends the prior law chapter 2 education block grant, is intended to support school reform, including as it relates to Goals 2000. These linkages have defined limits--States cannot be required, as a condition of receiving ESEA assistance, to participate in a Goals 2000 program or have standards certified under that legislation.

- **States, localities, and schools will have increased administrative flexibility under ESEA programs.** For example, the U.S. Department of Education (ED) is given authority to waive, for an initial period of not more than 3 years, a wide array of requirements under ESEA programs. These waivers may be extended if they have helped improve student performance. Further, State educational agencies (SEAs) and local educational agencies (LEAs) are permitted to consolidate certain program administrative funds. LEAs are

---

[1]For a brief overview of the ESEA as reauthorized, see: U.S. Library of Congress. Congressional Research Service. *Elementary and Secondary Education Act: Reauthorization Summary*. CRS Report for Congress No. 94-828 EPW, by Steven R. Aleman. Washington, 1994. See, also, U.S. Library of Congress. Congressional Research Service. *Education: Reauthorization of the Elementary and Secondary Education Act*. CRS Issue Brief No. IB93106, coordinated by Wayne Riddle. Updated regularly.

[2]For information on Goals 2000, see: U.S. Library of Congress. Congressional Research Service. *Goals 2000: Overview and Analysis*. CRS Report for Congress No. 94-490 EPW, by James B. Stedman. Washington 1994.

permitted, with SEA approval, to transfer up to 5 percent of the program funds they receive under designated ESEA programs to other designated programs.

- **The ESEA is newly focused on several areas of emerging educational and social interest.** For example, a technology initiative is newly added to the ESEA, seeking to integrate technology more fully into the curriculum and ensure that elementary and secondary schools participate in the emerging national information infrastructure. Support is authorized for initiatives involving new forms of school management, such as public charter schools and private management of schools. Further, school safety is added as a key component of the Safe and Drug-Free Schools and Communities Act.

- **Somewhat greater targeting on students and schools with high needs is accomplished**, primarily through changes to the title I allocation formulas. Although the extent to which title I funds are targeted on the greatest need is less than proposed initially by the Administration, the IASA focuses on high-poverty areas those appropriated amounts in future years that exceed the FY 1995 appropriation level. It also requires somewhat greater targeting on relatively high-poverty schools within LEAs, and authorizes grants to reward States with high fiscal effort and low disparities in their school finance programs.

In general, the new law reflects many of the themes and focuses of the Administration's original reauthorization proposal.[3] Key exceptions include the title I allocation formulas which, as noted above, provide for less targeting than was sought by the Administration. Further, virtually all of the programs the Administration sought to eliminate have been continued in the same or similar form, and approximately a dozen new programs, some of which were included in the Administration's proposal, are included in this legislation.

During the congressional consideration of the legislation a number of social issues also were debated and provisions related to those issues were included in the IASA. Among them were school prayer, the impact of the legislation on home schooling, and the use by schools of materials and courses of instruction asserted to be promoting homosexuality.

The House version of the IASA, H.R. 6, was passed on March 24, 1994. The Senate version, S. 1513, was passed on August 2, 1994. The conference version of H.R. 6 was agreed to by the House on September 30, 1994, and by the Senate on October 5, 1994.

The organization of this report follows the organization of the IASA. Title I of the IASA contains the ESEA, which, in turn, is divided into fourteen titles. The other IASA

---

[3]For a summary of this proposal, see: U.S. Library of Congress. Congressional Research Service. *Elementary and Secondary Education Act of 1965: The Administration's Reauthorization Proposal*. CRS Report for Congress No. 93-855 EPW, coordinated by Steven R. Aleman. Washington, 1993.

titles are: title II amending the General Education Provisions Act; title III amending numerous other education statutes; title IV reauthorizing the National Center for Education Statistics (NCES) within ED; and title V authorizing several new programs. With few exceptions, individual parts of each IASA or ESEA title are separately identified and discussed in this report. The exceptions primarily involve parts that are only administrative, such as those parts that define terms, unless they were subject to significant debate during the congressional consideration of the IASA.

Included in the appendices to the report are tables which outline the specific authorization levels and periods for each of the authorities included in the IASA, and a table delineating those ESEA authorities continued from prior law, those repealed, and those newly created by this legislation. **Please note that authorization levels generally are described only in appendix tables, not in the separate program descriptions below.**

IASA TITLE I--AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

This title of the IASA amends and extends the ESEA in 14 separate titles.

ESEA Title I--Helping Disadvantaged Children Meet High Standards

The title I program, an amended and extended version of the prior law title I, chapter 1 program, provides Federal assistance for the compensatory education of educationally disadvantaged students.[4] This multibillion dollar program (FY 1995 appropriation of $7.2 billion) is the centerpiece of the ESEA. Among the key issues debated during this reauthorization, were the degree to which title I funds would be targeted to areas with the highest concentrations of poverty, and the steps to be taken to improve the academic performance of participating title I schools.

Part A--Improving Basic Programs Operated by Local Educational Agencies

Allocation Formula

Debate over the title I provisions focused largely on the allocation formulas for part A grants to LEAs. The final legislation **postpones most formula changes until FY 1996.** Beginning in FY 1996, it continues to use the previous formulas to allocate an amount of each year's appropriation equal to the FY 1995 appropriation. To allocate appropriated amounts above the FY 1995 appropriation level, a new targeted formula is utilized. The legislation also authorizes another new formula, for "school finance incentive grants," to supplement basic, concentration, and targeted grants (these grants are discussed below). Some ambiguity remains regarding whether increased appropriations above the FY 1995

---

[4]For additional information, see: U.S. Library of Congress. Congressional Research Service. *Title I, Education for Disadvantaged Children: Reauthorization Issues*. CRS Issue Brief No. IB92132, by Wayne Riddle. Updated regularly. Washington, 1994.

level will be devoted to the targeted versus the school finance incentive grant formulas, or perhaps some combination of the two (e.g., one-half of increased appropriations under each formula).

Each year, funds equal to the FY 1995 appropriation level will be allocated using the same basic and concentration grant formulas as prior law, with five exceptions. **First**, the State minimum grant level is effectively raised for the basic and concentration grant formulas. **Second**, a marginal change is made to the concentration grant formula. If a county meets the 6,500 poor child threshold, but not the threshold of having 15 percent of its children living in poverty, then all formula children, not just those above 6,500 (as in prior law), would be counted in calculating concentration grants. **Third**, beginning in **FY 1999**, all grants will be calculated on the basis of poor child population data for LEAs, in contrast to the current two-step process whereby ED calculates grants by county, then the States suballocate county totals to LEAs. The 1990 census has been compiled by LEA with sufficient accuracy to make it possible to target title I grants directly to their ultimate recipients, the LEAs, rather than using the intermediary of county data, although the legislation postpones use of these LEA data until after a scheduled 1998 update. The **fourth** change from prior law is that population data will be updated every 2 years, beginning in FY 1996 for counties, FY 1998 for LEAs, based on current Census Bureau plans to carry out such updates. **Fifth**, LEAs with child poverty rates below 2 percent are no longer eligible for basic or concentration grants.

The legislation provides that beginning in FY 1996, appropriated amounts in excess of the FY 1995 appropriation level, other than funds appropriated for education finance incentive grants (see below), will be allocated under a new **targeted grant** formula. This formula is similar to that for current law basic grants, except that the poor and other children counted in the formula are assigned weights based on the child poverty rate or number of poor school-age children for counties (for FY 1996-1998) or LEAs (beginning in FY 1999). As a result, a county or LEA would receive higher title I grants **per child** the higher its poverty rate or number. The maximum weight assigned to poor children in counties or LEAs with the highest poverty **rates** is 4, and for those with the highest **numbers** of poor children is 3, while the weight for children in the lowest poverty (either rate or number) counties or LEAs is 1. All other aspects of the basic grant formula--expenditure factor, State minimum grant, etc.--are continued and applied separately to targeted grants. LEAs with a child poverty rate below 5 percent are not eligible for targeted formula grants.

A **100 percent hold harmless** will apply to basic and concentration grants for FY 1996. Thus, the prior law formulas will continue essentially unchanged for FY 1995, and an amount equal to the FY 1995 appropriation will be allocated in exactly the same amounts to States and LEAs for FY 1996, plus at least some additional funds from the targeted formula in FY 1996 to all LEAs meeting the 5 percent minimum child poverty rate threshold, if FY 1996 appropriations exceed the FY 1995 level.

The IASA also authorizes a new formula for supplementary **education finance incentive grants**. These funds will be used for the same purposes as other title I, part A grants, but will be allocated to States under a separate formula based on total school-age

population (not just poor children) multiplied by an "effort" factor and an "equity" factor. The effort factor is based on a comparison of State expenditures per pupil for public elementary and secondary education with State personal income per capita. This ratio for each State is further compared to the national average ratio.

The "equity" factor is based upon a measure of variation in average expenditures per pupil among each State's LEAs called the coefficient of variation (CV). This is a measure of the average disparity in expenditures per pupil among the LEAs of a State, weighted to account for differences in the enrollment level of different LEAs, and to give additional weight for poor children, and is expressed as a percentage of the State average expenditure per pupil.[5] The equity factor varies from approximately 1.0 for high disparity States to a maximum of 1.3 for States with no disparities (Hawaii, Puerto Rico, and the District of Columbia). States meeting the expenditure disparity standard established in regulations for the Impact Aid program (currently Alaska, Kansas, and New Mexico) would automatically be assigned a minimum equity factor of at least 1.2.

Finally, the title I allocation formulas require the use of updated census data on children in poor families, **if** such data are produced before the next decennial census in 2000, **unless** both the Secretary of Education and the Secretary of Commerce determine that use of such updated data would be inappropriate or unreliable. There is currently no statutory requirement that the Census Bureau produce updated estimates of school-age children from low-income families, but the Census Bureau currently plans to do so every 2 years, beginning in 1996 for States and counties. The legislation **assumes** use of 1996 updates of county level data in making FY 1997 grants, and 1998 updates of LEA level data in making FY 1999 grants.

Overall, the formulas for part A of title I would result in less targeting of funds on high-poverty areas than the proposals originally put forward by the Administration, especially at first when "new" money may be a small proportion of total title I grants. Further, due to ambiguities in the final text of this legislation, as well as the possibility that statutory provisions might be overridden during the appropriations process, it is not certain that even all "new" money will actually be devoted to the targeted grant formula. Unlike the targeted grant formula, grants under the school finance incentive grant formula are unlikely to be more focused on high-poverty areas than are current grants, and may be less so, since the child count used in calculating State grants is **all** school-age children, not children in poor families. Further, the increased State minimum provisions, applied to all part A formulas under the legislation, will shift a portion of funds toward relatively low poverty areas.

Nevertheless, to the extent that funds are provided for it, the targeted formula would provide somewhat greater targeting on many high-poverty areas, particularly those of large size or very high poverty rates, than the previous basic and concentration grant formulas. This is especially true when supplemented by more frequent poverty data updates and,

---

[5]For further explanation of this measure, see: U.S. Library of Congress. Congressional Research Service. *Variations in Expenditures Per Pupil Among Local Educational Agencies Within the States*. General Distribution Memorandum, by Wayne Riddle and Liane White. Washington, July 26, 1993.

beginning in FY 1999, the calculation of grants on the basis of LEAs rather than counties. Although the maximum weight for counties with high numbers of poor children--3--is less than the maximum for those with high percentages--4--the relative increases in grants under the targeted formula, compared to prior law formulas, tend to be greatest in the largest urban counties.

Other Part A Provisions

In several respects, the IASA attempts to link title I programs with efforts toward "systemic reform" of public elementary and secondary education that are currently taking place in many States, and that are supported under Goals 2000. In order to continue receiving title I grants in the future, States will have to develop plans that include challenging curriculum content standards, and standards for pupil performance on assessments tied to the content standards. However, ED may not require States to adopt any **specific** content and performance standards in order to receive title I funds. Further, while State plans and standards developed under Goals 2000 would also meet the title I requirements under the IASA, no State is required to participate in Goals 2000 as a condition for receiving title I funds.

The IASA changes the typical format and structure of title I programs. There is a substantial expansion of the number of schools eligible to operate title I on a schoolwide basis--i.e., use the aid to improve schoolwide services to all pupils, rather than limiting services to particular pupils deemed to be the most disadvantaged. The child poverty rate threshold for schoolwide program eligibility will eventually fall from 75 to 50 percent. At the same time, the provisions regarding selection of participating schools are modified with the intention of focusing funds on fewer schools. Local discretion over selection of schools is reduced somewhat, and new requirements set minimum levels of grants per child to individual schools, in an effort to increase the concentration of title I funds at the school level. In addition, schools could be automatically qualified to participate if their percentage of children from low-income families is at least 35 percent (up from 25 percent), and LEAs are authorized to use title I funds to establish programs under which eligible pupils may choose which title I schools they attend. At the same time, all schools with very high (75 percent or higher) poverty rates must be served.

The legislation places substantial emphasis on new planning requirements for participating States and LEAs. There is also increased stress on professional development, and an attempt to assure that instructional aides paid with title I grants are adequately qualified and supervised. The legislation establishes new requirements for the coordination of title I with a variety of educational and other programs and services, such as health and social services, and allows limited use of title I as a "last resort" source of funds for certain noneducational services or resources, such as eyeglasses or hearing aids (see also the separate coordinated services provisions under title XI, discussed below). Pupil eligibility requirements are modified with an intent to clarify and potentially increase participation by disabled and limited English proficient (LEP) pupils, although the ultimate effect of these amendments is uncertain. On the other hand, State and local flexibility in the operation of title I is increased in several ways under the IASA, especially through a

broad regulatory waiver authority (title XIV, part D, see discussion below) that applies to all of the ESEA.

Under the IASA, parental involvement requirements are expanded to include development of a parental involvement plan by the LEA, school-parent compacts establishing shared responsibility for supporting the achievement of title I participants, and a requirement that at least 1 percent of title I grants be used for parental involvement activities, which may include parent education or training. The legislation also revises current requirements for nonpublic school pupil participation, primarily by expanding requirements for consultation between public and nonpublic school officials over the provision of title I services. Technical assistance to State and local programs, previously authorized under title I itself, is now to be provided by comprehensive, multi-program technical assistance centers (title XIII, part A, see discussion below).

Part B--Even Start Family Literacy Programs

The Even Start program provides education and related services jointly to disadvantaged parents and their young children. Families are eligible if at least one parent lacks a high school diploma (or equivalent), and the family resides in an area eligible to conduct a title I, part A program and which has high rates of poverty, illiteracy, etc. Even Start services include early childhood education, adult basic education, and parenting skills instruction. Frequently, Even Start programs do not directly provide all of these and related services (such as transportation or child care); rather they establish networks of service providers, including Head Start programs, grantees under the Adult Education Act, etc. Funds are allocated by formula to States (as long as appropriations exceed $50 million, as they do currently), in proportion to title I, part A grants but with a 0.5 percent minimum, and local grantees are selected at State discretion.

The IASA amends Even Start by: (a) authorizing a demonstration grant (if a funding threshold of $4.6 million for grants to serve migrants, Indians, and the outlying areas is met) for a prison for women, to serve the prisoners and their young children; (b) the awarding of up to $1 million to support statewide family literacy initiatives (if total appropriations for part B increase by at least this amount over the previous year); (c) explicitly providing that participants in Even Start programs may be served in the same settings as participants under other, similar programs (such as part A of title I, Head Start, etc.); (d) authorizing States to make start-up grants covering a 3-6 month period for new programs; (e) authorizing services for parents who are within the compulsory school-age range for their State (as long as an LEA provides the basic education component of the program); (f) requiring programs to provide services to children over at least a 3-year-age range (e.g., 3- to 5-year-old children); and (g) removing a previous cap on the State minimum grant that had prevented the smallest States from receiving the full 0.5 percent.

Part C--Education of Migratory Children

The IASA reauthorizes the title I migrant education program, which provides formula grants to States for educating children of migrant agricultural and fishing workers. Several major changes were made. Funding and services generally are restricted to

children who have moved within the past 3 years. States must develop comprehensive plans that have high standards and integrate migrant programs more with other programs. States are encouraged to form consortia, particularly if their grants are less than $1 million.

Part D--Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk of Dropping Out

The IASA reauthorizes the title I program that provides formula grants to States for neglected and delinquent children being educated in State agency programs. It also creates a new LEA program, funded with allocations diverted from the title I, part A program, for districts with high numbers or percentages of children in locally operated youth correctional facilities. The latter funds are to be used for dropout prevention programs, coordinating health and social services that might help students complete their education, and programs meeting unique educational needs of students at risk of dropping out. Among other things, the IASA ties the program to State plans for broader school reform, requires attention to the needs of students with disabilities, increases coordination with other Federal programs, and strengthens the role of State educational agencies over youth corrections education.

Part E--Federal Evaluations, Demonstrations, and Transition Projects

The IASA requires ED to conduct two very broad, and several more specific, studies of title I programs and their effectiveness. The first of the broad studies is a **national assessment** of title I, similar to ones mandated in previous legislation (most recently under P.L. 101-305, the 1992 National Assessment of Chapter 1 Act). An interim report is due by January 1, 1996, and a final report on January 1, 1998. While this assessment is to consider all aspects of title I, it should emphasize changes made in the current legislation, including efforts to set higher academic standards for title I programs. The other broad study is a continuation of the ongoing **national evaluation** of title I. This longitudinal (i.e., based on following a cohort of pupils over several years) study focuses on achievement and other effects of title I programs, especially in schools with different concentrations of pupils from poor families. Activity related to both of these studies is to be coordinated to the extent possible. The topics for separate, more specific studies mandated in the IASA include schoolwide programs and parental involvement.

The revised part E of title I authorizes the Secretary to make discretionary grants to conduct and evaluate innovative, demonstration programs for the education of disadvantaged children. These may include programs using accelerated curricula, integration of education with other health or social services, and other approaches. A separate program of **innovative elementary school transition projects** is authorized, under which the Secretary of Education makes grants to consortia of LEAs and providers of early childhood education to children from low-income families, such as (but not limited to) Head Start programs. The purpose of these programs is to support a successful transition of poor children from preschool through the early elementary grades. Programs must coordinate the provision of a wide range of health, nutrition, social and other services to participating children and their families. This program is somewhat similar to

the current Head Start Transition Projects and the previously-authorized Follow Through program (which is repealed by the IASA).

ESEA Title II--Dwight D. Eisenhower Professional Development Program

The Eisenhower Professional Development program supports activities to strengthen the skills and knowledge of the elementary and secondary teaching force in all of the core academic subjects.[6] This program is a substantial modification of the Eisenhower Mathematics and Science Education Act which, under prior law, supported professional development only in mathematics and science. Although the IASA continues Eisenhower Regional Mathematics and Science Education Consortia to provide technical assistance for math and science instruction on a regional basis, the Consortia are not included in the provisions authorizing the Eisenhower program as they were under prior law (for a discussion on the Consortia, see discussion of title XIII, part C below).

Part A--Federal Activities

This part reserves funds for a wide range of Federal activities, among which are an Eisenhower National Clearinghouse for Mathematics and Science Education to be a repository for math and science instructional materials (the Clearinghouse is an activity continued from prior law); and a new National Teacher Training Project to enable nonprofit educational institutions to enter into contracts with LEAs and IHEs, among others, for professional development involving teachers being trained to train other teachers.

Part B--State and Local Activities

The bulk of the Eisenhower funding is allocated to States by formula and, within States, to LEAs by formula and to IHEs by competitive grants. Activities supported under this part include State efforts to reform teacher and administrator licensing requirements; State technical assistance on professional development; support of professional development networks linking teachers; efforts to prepare teachers to use technology; support for professional development partnerships between schools or LEAs and IHEs; and activities to improve teacher education programs within IHEs.

One of the key issues debated during legislative consideration was the relative share of the State allocation that LEAs and IHEs would receive. The IASA substantially reduces the IHE share of funds (the formula under prior law directed approximately 23 percent of the aggregate annual appropriation to IHEs and 64 percent to LEAs; the IASA reduces the IHE share to approximately 14 percent and increases the LEA share to 74 percent).

---

[6]The statute defines the core academic subjects as those listed in a State's Goals 2000 plan or in the third National Education Goal which identifies English, math, science, foreign languages, civics and government, economics, arts, history, and geography. For a more detailed analysis of the new legislation, see: U.S. Library of Congress. Congressional Research Service. *Eisenhower Professional Development Program: Moving Beyond Math and Science*. CRS Report for Congress No. 94-846 EPW, by James B. Stedman.

Part C--Professional Development Demonstration Project

The Eisenhower program also directs funds to a new Professional Development Demonstration Project which supports model professional development efforts that will take place in several school districts and States, and involve partnerships among many community entities, including teachers' unions.

ESEA Title III--Technology for Education

In its several parts, this new title authorizes a number of programs and activities to strengthen and expand the use of technology in elementary and secondary education.

Part A--Technology for Education of All Students

This part authorizes **National Programs for Technology in Education** (subpart 1 of part A) under which the Secretary of Education is to take a leadership role with regard to technology. The Secretary is required to develop, within a year of enactment of the IASA, a national long-range plan for the application of technology to education. The Secretary is to assist States in planning for technology use in schools and for such activities as technical assistance, and research and development of applications for advanced technology in education. Through ED's Office of Educational Technology, the Secretary is to report to Congress, within a year of enactment of the IASA, on alternative models for funding the acquisition and maintenance of technology-enhanced curricular, instructional, and administrative resources.

Funds are made available to States by formula under the **State and Local Programs for School Technology Resources** authority (subpart 2 of part A) only when the annual appropriation for the National Programs (described above), the State and Local Programs, and Regional Technical Support authority (described below) equals or exceeds $75 million--**the FY 1995 appropriation level is $40 million**. SEAs may receive funds only if they submit to ED a statewide educational technology plan that, among other provisions, defines long-term strategies for financing technology and enables the SEA to assist LEAs that have the highest numbers or percentages of poor children, as well as the greatest technology needs. States may submit technology plans developed under Goals 2000. SEAs are to allocate these funds competitively to LEAs for such activities as acquiring technology resources and supporting professional development in integrating technology into the curriculum. To receive funds, LEAs also must have long-range technology plans.

When the annual appropriation for National Programs, State and Local Programs, and Regional Technical Support is less than $75 million, the Secretary awards 5-year **National Challenge Grants for Technology in Education**. These grants support technology projects undertaken by consortia. These consortia must include at least one LEA with a high percentage or number of poor children, and may include, among other entities, additional LEAs, SEAs, IHEs, businesses, academic content experts, software designers, museums, and libraries. Priority is to be given to projects that will serve areas with high numbers or percentages of poor students or the greatest need for technology, benefit

students directly, ensure sustained professional development, ensure successful technology use, and receive substantial financial and other contributions from consortia members and other entities.

Under the **Regional Technical Support and Professional Development** authority (subpart 3 of part A), the Secretary is to fund regional entities that will address professional development, technical assistance, and information needs related to use of technology in education.

From the annual appropriation for subparts 1-3, $3 million of the appropriation is for the National Programs (increased to $5 million if the appropriation equals or exceeds $75 million); $10 million is for the Regional Technical Support; and the remainder is for National Challenge Grants (if the total appropriation is less than $75 million) or State and Local Programs (if the appropriation equals or exceeds $75 million).

The Secretary is authorized to support **Educational Technology Product Development** (subpart 4 of part A). This new authority supports development, production and distribution by consortia of resources and programming that use advanced technologies, are based on schools' curricula, and are designed to improve student learning.

Part B--Star Schools Program

The Star Schools Act, continued from prior law, supports "distance learning" by funding telecommunications partnerships that link educators and educational programs in one or more locations with students located elsewhere. Key changes from prior law include expanding the duration of grants from 2 years to 5 years; and dropping the Federal share from 75 percent down to 50 percent by the 5th year of a grant.

Part C--Ready-To-Learn Television

The Ready-To-Learn Television program is continued virtually unchanged from prior law. It provides financial support for the production of educational and instructional video programming for preschool and elementary school students.

Part D--Telecommunications Demonstration Project for Mathematics

The Telecommunications Demonstration Project for Mathematics Act is a new authority. The Secretary is authorized to make grants to a nonprofit communications entity or a partnership of such entities for a national project demonstrating use of telecommunications to improve mathematics teaching. School sites in at least 15 States must be involved.

Part E--Elementary Mathematics and Science Equipment Program

The Elementary Mathematics and Science Equipment program is a new authority providing formula grants to SEAs to support the acquisition of equipment and materials to enable elementary schools to provide hands-on instruction in math and science. SEAs are to award these funds competitively to LEAs, giving priority to LEAs on a number of criteria including whether they propose to target their most seriously underequipped schools or their schools serving large numbers or percentages of economically disadvantaged students.

Part F--Elementary and Secondary School Library Media Resources Program

The Elementary and Secondary Library Media Resources program, a new authority, primarily supports LEAs in the acquisition of school library media resources. If the annual appropriation equals or exceeds $50 million, the funds are allocated by formula to States and on a competitive basis within States. At an annual appropriation below $50 million, grants are awarded on a competitive basis to States, taking into account age and condition of school library media collections and the economic need of students to be served, among other factors.

ESEA Title IV--Safe and Drug-Free Schools and Communities

The Drug-Free Schools and Communities Act of 1994 is converted to the Safe and Drug-Free Schools and Communities Act. This title provides Federal assistance to States, and supports national programs, to prevent the illegal use of alcohol and drugs and to prevent violence in and around schools. The previous method of allocating funds is significantly altered, targeting more resources to those LEAs having the highest need.

Part A--State Grants for Drug and Violence Prevention Programs

Under Part A, States receive grants based on school-age population and State shares of title I part A grants, with a 0.5 percent State minimum. Eighty percent of the allocated amount is to be used by the SEA and LEAs for drug and violence prevention activities including safe zones of passage, demonstration projects, and dissemination of information about school safety and discipline. Twenty percent of the State grant supports Governor's programs including Drug Awareness Resistance Education (DARE) and before-and-after school programs. The Secretary of Education is authorized to carry out a number of national programs including grants to IHEs for drug and violence prevention programs and grants to LEAs most affected by hate crimes. There is no Part B in the legislation.

ESEA Title V--Promoting Equity

This title authorizes three programs: Magnet Schools Assistance, Women's Educational Equity, and Assistance to Address School Dropout Problems.

Part A--Magnet Schools Assistance

The Magnet Schools Assistance program, continued from prior law, provides Federal support to LEAs engaged in school desegregation for implementation of magnet schools (schools or school programs with special curricular emphases that voluntarily attract students from different racial backgrounds). Among key changes from prior law are (1) a new focus on magnets as part of LEAs' systemic education reform; (2) additional priorities in the selection process that target applicants that propose new or revised magnet schools, magnets that use strategies such as lotteries in selecting students, magnets whose innovative education is consistent with State or local Goals 2000 plans, if any, and magnets drawing on comprehensive community involvement plans; (3) inclusion of consortia of LEAs as eligible grantees; (4) expansion of the duration of grants from 2 years to 3 years; (5) limits on grantees' use of funds for planning to 50 percent in the first year, 15 percent for the second, and 10 percent for the third; and (6) reservation of 5 percent of the annual appropriation for innovative programs in eligible LEAs and consortia that involve neighborhood or community schools, but not magnets.

Part B--Women's Educational Equity

This part reauthorizes the Women's Educational Equity Act of 1994 (WEEA), which promotes gender equity in education and compliance with title IX of the Education Amendments of 1972 (prohibiting sex discrimination in educational programs and activities receiving Federal financial assistance). WEEA authorizes the Secretary of Education to make two types of grants--grants for developing and implementing gender equity programs; and grants for providing "support and technical assistance" in areas such as teacher training and evaluation of exemplary programs, as well as for research and development.

Part C--Assistance to Address School Dropout Problems

The IASA continues a program of grants to LEAs, community-based organizations, and educational partnerships to reduce the number of children who do not complete elementary and secondary education. Minor amendments were made in the program, including no longer referring to the grants as assistance for demonstrations.

ESEA Title VI--Innovative Education Program Strategies

This title authorizes formula grants to the States to support State and local education reform activities, particularly in conjunction with Goals 2000, as well as innovation and improvement activities and programs that meet the special needs of at-risk and high-cost students (e.g., those who are disadvantaged, are limited English proficient, or have disabilities). The title modifies and extends the former title I, chapter 2 grants program for State and local educational improvement.[7] Funds continue to be distributed to States in proportion to school-age population, with a 0.5 percent State minimum. Each State

---

[7]The term "education block grant" has been commonly used to refer to the State and local components of the chapter 2 program; however, there is no reference to this term in either the current or previous statutes.

may retain up to 15 percent of its grant (20 percent under the former law) for administration and technical assistance and must allocate at least 85 percent of its grant to LEAs, based on local enrollment with adjustments for the enrollment of children whose education imposes higher-than-average educational costs, the same as under former law. Local uses of funds are targeted on a variety of innovative activities that include: use of technology related to the implementation of school-based reform programs; acquisition of instructional and educational materials which are part of an overall reform program; promising educational reform projects, including effective schools and magnet schools; improvement of higher order thinking skills and programs to prevent school dropouts; programs to combat illiteracy; programs for the gifted and talented; school reform activities consistent with Goals 2000; and school improvement programs consistent with assessment and improvement activities authorized under title I LEA grants. As newly authorized, this program places somewhat more emphasis on local education reform activities and less emphasis on general school improvement activities.

ESEA Title VII--Bilingual Education, Language Enhancement, and Language Acquisition Programs

Part A--Bilingual Education

The Bilingual Education Act (BEA) is the Federal program specifically intended to help LEP children to learn English. It is revised significantly by the IASA. In subpart 1, the prior range of project grants that funded specific local instructional programs for LEP students is replaced with four new types of grants. These new competitive grants are intended to support LEAs at **different stages** of their efforts to improve the instruction of LEP students. The new grant types are: (1) program development and implementation; (2) program enhancement; (3) comprehensive school; and (4) system-wide improvement. Grants are for periods of 2 to 5 years. LEAs must submit a copy of their applications for grants to their SEAs. SEAs must, with limited exceptions, transmit the applications to ED with their comments. ED must terminate a comprehensive school or system-wide improvement grant if (1) its biennial evaluation shows that the students served are not making adequate progress toward State content and student performance standards; or (2) it is not, as designed and intended, promoting dual language facility. Under subpart 1, with limited exceptions, no more than 25 percent of funds--in each grant category and in total--can be used for projects that do not make use of the LEP children's native language in instruction.

In subpart 2, SEAs must now demonstrate that they effectively provide for the education of LEP students in order to be eligible for participation in the State grant program. Bilingual education research supported under subpart 2 must now include field-initiated research. A new program is established for the development of instructional materials in Native American, Native Hawaiian, and other languages for which materials are not readily available.

In subpart 3, the current personnel training programs, with the exception of the fellowship program, are replaced with new training programs. The new programs are: (1) training for all teachers; (2) bilingual education teachers and personnel; and (3) bilingual education career ladder.

Part B--Foreign Language Assistance Program

The Foreign Language Assistance Act of 1994, formerly authorized under ESEA title II, part B, is extended as part B of title VII. Grants are made on a competitive basis to establish, improve, or expand innovative elementary and secondary school foreign language instruction programs. At least 75 percent of funds are reserved for programs in elementary schools, especially ones designed to provide pupils with "communicative competency" in a foreign language.

Part C--Emergency Immigrant Education Program

The Emergency Immigrant Education program, continued from prior law, provides formula grants to SEAs (which reallocate funds to LEAs) to assist in the education of immigrant students who have been in the United States for less than 3 years. The program (formerly ESEA title IV, part D) is moved to title VII. As reauthorized, it now provides that, if annual appropriations for the program exceed $50 million, SEAs are permitted to reserve up to 20 percent of their State's allocations for competitive grants to LEAs--one-half to LEAs with large numbers of immigrant students and the remainder to LEAs with a sudden influx of immigrant students that are not otherwise eligible for a formula grant under the program.

ESEA Title VIII--Impact Aid

Impact Aid compensates school districts for tax revenue lost because of Federal ownership of certain lands and Federal activities. The IASA repeals the Impact Aid statutes (P.L. 81-874 and P.L. 81-815)[8] and creates title VIII of ESEA, which reauthorizes the Impact Aid programs. Title VIII continues to compensate LEAs for tax revenues lost because of certain Federal activities. Section 8002 authorizes compensation to LEAs for taxes lost because of Federal ownership of certain lands. Section 8003 authorizes compensation to LEAs because of children whose parents live and/or work on Federal property and, as a result, do not pay property or sales tax. Sections 8007 and 8008 authorize limited payments to LEAs for construction and facilities maintenance.

The most significant changes to Impact Aid affect how school districts are compensated for so-called "federally connected" children (previously described in sections 3(a) and 3(b) of P.L. 81-874). Major changes include:

- Payments based on children of civilian parents who work **or** live on Federal property (previously termed "civilian b's") are limited to LEAs that enroll at least 2,000 such children **and** in which these children represent at least 15 percent of the LEA's total enrollment.

- New classes of children generating payments have been added: those with a parent who is an "accredited" foreign military officer either residing or not residing on Federal property.

---

[8]The provisions repealing the Impact Aid statutes are found in title III, part C of the IASA.

- New definitions of Federal property are also added: property owned by a foreign government or international organization, and property used to house homeless children on closed military installations.

Title VIII continues to compensate LEAs for children:

- who live on Federal property **and** whose parent or parents are employed on Federal property,
- who live on Federal property **and** whose parent or parents are members of the Armed Forces,
- who reside on Indian lands,
- who do not live on Federal property but whose parent or parents are members of the Armed Forces, and
- who reside in low-rent housing.

Another major change in Impact Aid resulting from the IASA is the determination of payments when (as has been the case in recent decades) appropriations are insufficient to make full payments. Prior law based reduced payments on the ratio of "federally connected children" to total enrollment in a school district. Title VIII now reduces payments based on this relationship in combination with the ratio of Impact Aid payments to a LEA's total current expenditure. The eventual result apparently will be that districts with higher percentages of federally connected children and with higher percentages of Impact Aid funds will be more likely to receive larger percentages of their full payments. Title VIII phases in formula changes by holding a district harmless at 85 percent of prior year payments for 2 consecutive years.

ESEA Title IX--Indian, Native Hawaiian, and Alaska Native Education

Part A--Indian Education

Both the Bureau of Indian Affairs (BIA) and ED administer programs to support and improve the education of Indians. Title IX includes provisions that reauthorize the ED-administered programs, previously authorized by the Indian Education Act (IEA; title V, part C of P.L. 100-297). (BIA-administered programs are amended by IASA title III, part H--discussed below.)

Changes in the LEA formula grant program include a number of revisions to the formula: LEA and tribal eligibility is expanded; the cost factor is modified to include a floor of 80 percent of the national average-per-pupil expenditure; and a minimum grant amount of $3,000 is established. Further, in a change from prior law, LEAs must now develop their programs for Indian students (1) based on local needs assessments and prioritization of the special needs of Indian students; and (2) with the participation and approval of parent committees whose membership is at least 51 percent Indian. LEAs

must now submit their applications to their SEAs, which may comment on them. In the special programs for Indian children, the professional development activities are revised and expanded; a service obligation is added to the Indian fellowship program, and a new authority for grants to tribes for education administrative planning and development is established. Also, a new national research program is established.

Part B--Native Hawaiians

The Native Hawaiian Education Act, authorized by this part, replaces title IV of P.L. 100-297 as the authority for programs to improve the education of native Hawaiians. The IASA adds a native Hawaiian education council and island councils; a native Hawaiian curriculum development, teacher training and recruitment program; and a native Hawaiian community-based education learning centers program. The previous curriculum development program is eliminated.

Part C--Alaska Native Education

The Alaska Native Educational Equity, Support and Assistance Act is a new program that includes an educational planning, curriculum development, teacher training and recruitment program, a home-based preschool program, and a student enrichment program.

ESEA Title X--Programs of National Significance

In its 13 parts, this title authorizes funding for a broad array of activities, some extended from prior law and some new with this legislation.

Part A--Fund for the Improvement of Education

The Fund for the Improvement of Education (FIE) is a substantially new authority, although it is, in part, a successor to prior law's Secretary's Fund for Innovation in Education. Under this authority the Secretary is to support nationally significant projects that improve educational quality, help students meet challenging State standards, and make progress toward the National Education Goals. Among the permitted uses of funds are activities promoting systemic education reform; State and local demonstrations of nationally significant activities, such as public school choice; promoting comprehensive health education; identifying and recognizing exemplary schools and programs, such as Blue Ribbon Schools; and promoting gender equity; and demonstrating the effectiveness of reforming schools through contracting with private management organizations.

Several new programs are described separately in more detail and may be supported with FIE funds. These include:

- the **elementary school counseling demonstration** program supporting comprehensive elementary school counseling efforts that address personal, social, emotional, and educational needs of all students;

- the **partnerships in character education pilot project** authority under which aid may be provided to up to 10 partnerships of SEAs and LEAs for implementing school-based character education programs that incorporate designated character elements ranging from "caring" to "trustworthiness;"

- a grant for **promoting scholar-athlete competitions**; and

- a **smaller learning communities** program providing funds to LEAs for studying and implementing smaller classes or learning environments within larger schools.

Two additional new programs are described separately--**national student and parent mock election** program to implement voter education activities, and **model projects** to support cultural institutions' outreach activities for at-risk children. These two programs are **not** listed among those activities that can funded under the FIE; they do not have separate funding authorizations. It is unclear how they are intended to be funded.

Part B--Gifted and Talented Children

The IASA, through the **Jacob Javits Gifted and Talented Education Act of 1994,** extends the gifted and talented program that provides grants to State and local agencies, IHEs, and other public and private agencies for research and demonstration projects, and training activities designed to meet the special needs of gifted and talented students. The IASA allows not more than 30 percent of the total funding to be set aside for the National Center for Research and Development in the Education of Gifted and Talented Youth (currently consisting of a consortium of university applied research programs). The IASA maintains discretionary grants for model projects for traditional gifted and talented students, but stipulates that the methods and materials for the gifted be adapted to serve **all** students where appropriate, including economically disadvantaged, LEP students, and individuals with disabilities.

Part C--Public Charter Schools

Under the Public Charter Schools program, a new authority, the Secretary may make grants of up to 3 years' duration to SEAs for implementation of charter school grant programs for LEAs. Charter schools are defined as public schools that, under the terms of State statutes, have been exempted from significant State or local rules and are committed to achievement of specific educational objectives. These schools are to be created as public schools or from existing public schools by an individual or group of individuals, such as teachers, administrators, parents, or community members. Among other requirements, charter schools must be nonsectarian, may not charge tuition, must comply with specified civil rights statutes, and admit students through lotteries if the number of applicants exceeds enrollment capacity. The agencies that are authorized to grant charters are SEAs, LEAs, or other public entities so authorized under State law and approved by the Secretary of Education.

Part D--Arts in Education

The IASA extends the current Arts in Education program that provides grants to assist SEAs and LEAs, and other public and private agencies, organizations and institutions to conduct programs that integrate the arts into school curricula. The Arts in Education program also supports the John F. Kennedy Center for the Performing Arts and the Very Special Arts program for children with disabilities. In the event that the appropriated amount is $9 million or below, the first priority is to fund the Kennedy Center and Very Special Arts programs (the FY 1995 appropriation is $12 million). The IASA reaffirms support of the national effort for students to demonstrate competence in the arts in accordance with the National Education Goals.

The IASA adds a new authority, **Cultural Partnerships for At-Risk Children and Youth**, a demonstration grant program that would strengthen and improve the educational performance and future potential for at-risk children and youth, with the Federal share paying 80 percent of the cost of authorized activities. An interagency partnership (ED, National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum Services) is to award and administer the grants.

Part E--Inexpensive Book Distribution Program

The Inexpensive Book Distribution program, continued without substantial change from prior law, is required to be operated under a single, noncompetitive award to Reading is Fundamental, Inc., to support, through subcontracts, local private nonprofit groups or organizations, or public agencies, that distribute inexpensive books to children with the objective of motivating such children to read. Federal funds provide for up to 75 percent of the cost of the books, except that the Federal share for programs serving the children of migrant or seasonal farmworkers is 100 percent.

Part F--Civic Education

The Civic Education authority continues from prior law, largely without change, the **We the People . . . The Citizen and the Constitution** program. This program supports the Center for Civic Education for its education program that supports instruction on the principles of our constitutional democracy and the history of the Constitution and the Bill of Rights; congressional hearings simulations at participating schools; and annual competition of simulated congressional hearings for secondary school students. The IASA adds new language authorizing support for advanced teacher training about the Constitution and the U.S. political system, or support for middle school level instruction on State and local government roles in the Federal system.

The Civic Education authority includes a program for **Instruction in Civics, Government, and the Law**, a program with some similarity to the Law-Related Education program previously authorized. The new program may support, among other activities, curricular programs on the U.S. system of government, the role of law, and the rights and responsibilities of citizenship.

Part G--Allen J. Ellender Fellowship Program

The Allen J. Ellender Fellowship program is continued largely unchanged from prior law. Under this program, grants are awarded to the Close Up Foundation to enable economically disadvantaged middle and secondary school students, older Americans, recent immigrants, and students of migrant parents to participate in the Foundation's programs to increase understanding of the Federal Government. Teachers may also receive support to participate in the Foundation's programs to enhance teaching skills in these areas. The specific references to middle school students and teachers, and to students of migrant parents are newly added to the program.

Part H--De Lugo Territorial Education Improvement Program

Part H authorizes a new program of support for innovative educational improvement programs throughout the outlying areas.

Part I--21st Century Community Learning Centers

The IASA adds the 21st Century Community Learning Centers Act to the ESEA. Funds are awarded directly to rural or inner-city public schools, or consortia of such schools, to enable them to act as centers for delivering education and human resource services to their local communities. Among the activities that may be supported are literacy education; senior citizen programs; day care services; telecommunications and technology education programs; parenting skills education; employment counseling, training, and placement; and services for the disabled.

Part J--Urban and Rural Education Assistance

A new authority for Urban and Rural Education Assistance is added to the ESEA supporting Urban Education Demonstration grants and Rural Education Demonstration grants. Among other purposes, these grants are intended to help urban and rural areas meet the National Education Goals and improve public school children's educational and social well-being. Separate grants are authorized for IHEs to assist school improvement among rural schools and LEAs. The President is also authorized to call White House Conferences on Urban Education and on Rural Education.

Part K--National Writing Project

The authorization for Federal support of the National Writing Project is continued largely unchanged from prior law. Under this authority, ED provides support to the National Writing Project which, in turn, enters into contracts with IHEs or other nonprofit educational providers to meet the Federal share of the costs of programs for improving the teaching of writing. The Federal share is 50 percent. A key component of the Writing Project activities is training teachers to conduct writing workshops for other teachers.

Part L--The Extended Time for Learning and Longer School Year

The Extended Time for Learning and Longer School Year program is newly authorized to support LEAs in their efforts to extend the amount of time for learning experienced by all students within and beyond the confines of the current school day and year. Grantees may engage in such activities as studying how to lengthen learning time, engaging other community members in these efforts, and lengthening the school year to 210 days.

Part M--Territorial Assistance

Part M extends a current authorization for general aid to public education in the Virgin Islands.

ESEA Title XI--Coordinated Services

Title XI describes the requirements of newly authorized Coordinated Services Projects that LEAs and schools are authorized to fund under section 14206(b) of the ESEA. Section 14206(b) allows either an LEA, a school, or a consortium of schools to use up to 5 percent of its ESEA funds, with the exception of Impact Aid, for coordinated services projects consistent with title XI.

Title XI requires LEAs or schools to file an application and plan with ED. ED must deny a plan that is not coordinating services effectively after 2 years of implementation. The title specifies the uses of funds permitted, including hiring a service coordinator, providing personnel training, and conducting a needs assessment. Funds may not be used for actual health or health-related services. Coordination at the Federal level is also required, including a report to Congress making recommendations on removing barriers to coordination among Federal programs.

ESEA Title XII--School Facilities Infrastructure Improvement Act

The IASA adds a new program, the Education Infrastructure Act of 1994. Grants are provided for repair, renovation, alteration, and construction of public elementary and secondary school libraries, media centers, or facilities used for academic or vocational instruction. Grants are authorized for LEAs that lack fiscal capacity and are in urgent need for repair of school buildings. One percent of the appropriation is reserved for evaluation and construction needs assessment.

ESEA Title XIII--Support and Assistance Programs to Improve Education

The purpose of this title is to create a national technical assistance and dissemination system to assist in the implementation of ESEA and school reform programs; coordinate such programs with other Federal, State, and local activities; and implement promising educational programs and practices.

Part A--Comprehensive Regional Assistance Centers

The Secretary is authorized to establish a new system of 15 regional centers to provide comprehensive training and technical assistance for recipients of ESEA funds. These comprehensive centers represent a major change in the administrative structure of ESEA by consolidating several of the technical assistance centers previously authorized under individual ESEA programs into a system of unified centers serving multiple programs.[9]

Centers must be established through discretionary grants, contracts, or cooperative agreements with public or private nonprofit entities or consortia of such entities. Five-year awards are made, with attention given for geographic distribution and other considerations. In general, each center must maintain staff appropriate for meeting program objectives for all activities funded by the ESEA, including the needs of children assisted under the ESEA, professional development, the utilization of technology, and coordinated services. Centers must give priority to providing services for schoolwide projects under title I, part A and for LEAs and BIA schools with the highest percentage or numbers of poverty children.

Part B--National Diffusion Network

The National Diffusion Network (NDN) is extended to support a State-based outreach, consultation, training, and dissemination program. The IASA changes the focus of the NDN by significantly strengthening the emphasis on the State-based assistance program. Discretionary grants or contracts are made to public or private nonprofit entities in each State for NDN State facilitators. These facilitators are to assist SEAs and LEAs obtain technical assistance from the regional assistance centers and other sources; identify and implement exemplary programs and practices; provide professional development services; and identify and utilize educational technology to increase access to assistance. The Secretary must develop a system to validate effective programs and promising practices for dissemination through the NDN; priority must be given to promising schoolwide practices under title I and the needs of high-poverty schools.

Part C--Eisenhower Regional Mathematics and Science Education Consortia

The Eisenhower Regional Mathematics and Science Education Consortia are continued with some change from prior law. The primary difference is that the Consortia are no longer statutorily included in the Eisenhower program for professional development (ESEA title II). The Consortia provide technical assistance and training to math and science teachers, administrators, and other educators. Among other activities, they help SEAs and LEAs identify science equipment needs, work to meet the needs of groups

---

[9]An ED Budget Service table of Sept. 28, 1994, identifies seven former programs that were consolidated into the comprehensive centers: ESEA title I, chapter 1 technical assistance centers; title I, chapter 1 rural technical assistance centers; title I, chapter 1 migrant program coordination centers; title V drug-free schools regional centers; title VII bilingual education multifunctional resource centers; title VII bilingual education evaluation assistance centers; and Indian education technical assistance centers authorized under the Indian Education Act.

underrepresented in math and science education, and identify exemplary teaching practices and materials, disseminating them to the Eisenhower National Clearinghouse for Science and Mathematics Education. The Federal share of the cost of eligible activities is set at 80 percent (under prior law this dropped to 50 percent by the 5th year of the grant).

Part D--Technology-Based Technical Assistance

This part newly authorizes the Secretary, though a technology-based technical assistance service, to support the administration and implementation of ESEA programs by providing recipients of ESEA funding with information on best practices.

ESEA Title XIV--General Provisions[10]

Part B--Flexibility in the Use of Administrative and Other Funds

As amended, the ESEA newly permits SEAs[11] and LEAs to **consolidate certain program administrative funds**. LEAs, however, need permission from their SEAs to consolidate administrative funds. Additional provisions (1) allow an LEA, under certain conditions and with SEA approval, to transfer up to 5 percent of funds it receives under selected ESEA programs to other selected ESEA programs; and (2) allow an LEA or school to use up to 5 percent of ESEA funds received, except Impact Aid, for projects to coordinate educational services with other services needed by disadvantaged pupils (see title XI). Finally, ED must conduct a study of the use of Federal funds by SEAs and LEAs for program administration.

Part C--Coordination of Programs; Consolidated State and Local Plans and Applications

SEAs may now submit to ED a **consolidated State application** for several ESEA programs as well as programs under Goals 2000 and the School-to-Work Opportunities Act, and certain programs under the Carl D. Perkins Vocational and Applied Technology Education Act. Likewise, LEAs may now submit to their SEAs a **consolidated local application**. An SEA may require LEAs to submit to it consolidated applications when it has an approved consolidated application with ED. Further, State and local applications for certain ESEA programs must be integrated with each other and the State's improvement plan under Goals 2000. Finally, ED must seek and report to Congress on agreements with other Federal agencies that establish consolidated application procedures across Federal health, education, and social service programs.

---

[10]Part A, which provides definitions of terms, is not addressed below.

[11]Only SEAs with a majority of their resources coming from non-Federal sources are eligible for the consolidation of administrative funds.

Part D--Waivers

New authority is provided to ED to grant **waivers for a wide array of ESEA requirements** to SEAs, LEAs, Indian tribes, and schools.[12] A waiver application must include, among other things, a description of how the waiver will increase the quality of instruction to students or improve the academic performance of students. A waiver request must be accompanied with any comments by either local or State officials. Waivers are for an initial period of no more than 3 years and may be extended if ED determines that they have been effective for the purposes sought, contributed to improved student performance, and an extension is in the public interest. ED must terminate waivers where it determines that the recipient's performance is inadequate to justify a continuation or that the waiver is no longer needed to achieve its objectives.

Part E--Uniform Provisions

This part contains the general provisions applicable to all ESEA programs or some specified subset. Some of these are largely administrative or derive from prior law:

- a maintenance of effort requirement (although unchanged from prior law, it is applied to a broader array of programs);
- provisions regarding participation by private school children and teachers in designated ESEA programs (these provisions are standardized from prior law); and
- a new requirement that the Secretary report to Congress within 180 days of enactment of the IASA on how the Secretary will ensure that audits of ESEA activities will reflect changes made by the IASA, particularly with regard to serving children with similar educational needs in the same settings.

Prohibitions Regarding Such Issues as School Prayer, Promotion of Sexual Activity, and Federal Influence on Instructional Content and Curriculum

This part contains a number of provisions, most of them new with this legislation, that prohibit specific activities. These include:

- a provision making any SEA or LEA ineligible for ESEA funding if it has been found by a Federal court to have violated a Federal court order requiring the LEA to remedy a violation of a student's constitutional right to pray in public schools;

---

[12]Certain ESEA provisions **cannot** be waived. These include requirements relating to the allocation of funds; maintenance of effort; comparability of services; nonsupplanting; equitable participation of private schools; and parental participation. In addition, applicable civil rights requirements cannot be waived, nor prohibitions on counting Federal aid for State aid purposes and using funds to pay for religious worship or instruction. Finally, the elements of a public charter school as described in title X, part C cannot be waived.

- prohibitions against use of ESEA funds for development or distribution of materials or the operation of programs or courses of instruction for youth designed to promote homosexual or heterosexual sexual activity, for distribution of legally obscene materials, for sex education or HIV prevention education that does not include the health benefits of abstinence, for condom distribution in schools (there are certain limits placed on these prohibitions, including that none of these prohibitions is to authorize Federal influence over instructional content or curriculum);

- prohibitions against construing any ESEA provision as authorizing Federal influence over instructional content and curriculum of any SEA, LEA, or school,[13] and against construing any ESEA provision as mandating a State or any subdivision to spend funds or incur costs not paid for under the ESEA;

- a prohibition against requiring a State, as a condition of receiving ESEA assistance, to participate in a Goals 2000 program or have standards certified under that legislation;

- a prohibition, continued from prior law, against using ESEA funds for religious worship or instruction;

- a prohibition against construing any ESEA provision as affecting home schools;

- a prohibition against construing any ESEA provision as involving Federal control over any aspect of private, religious, or home schools; and

- a prohibition against consideration of ESEA funds (other than Impact Aid) in determining an LEA's eligibility for, or level of, State funding (although continued from prior law, it is no longer applied only to part A of title I, but to the entire ESEA).

Part F--Gun Possession

The IASA includes new language requiring each State receiving Federal funds under the ESEA must have in effect a law requiring LEAs to expel, for at least 1 year, any student who is determined to have brought a firearm to school. The requirement can be waived for students on a case-by-case basis. Furthermore, LEAs receiving ESEA funds must have a policy requiring referral to the criminal justice system of any student who brings a firearm or weapon to school.[14]

---

[13]This first prohibition is somewhat similar to section 438 of the General Education Provisions Act.

[14]For related provision concerning the application of this part to disabled students, see the discussion below of IASA title III, part A--Amendments to the Individuals with Disabilities Education Act.

Part G--Evaluations

The Secretary is newly authorized to reserve not more than 0.5 percent of the funds appropriated for each ESEA program, except for funds appropriated for title I, to conduct national evaluations of ESEA programs, including an evaluation of how the ESEA has assisted the States to reform their educational systems, and an evaluation of the waivers authorized under title XIV, part D and under title I for schoolwide projects. The Secretary must report on these evaluations to appropriate congressional committees by January 1, 1998.

Part H--Sense of Congress

This part adds new language to the ESEA stating that it is the sense of the Congress that "the total share of the Federal spending on education should increase by at least 1 percent each year until such share reaches 10 percent of the total Federal budget."[15] This part also newly states that it is the sense of the Congress that equipment or products purchased with ESEA funds should be American-made, and that each recipient of ESEA funds should be notified of this intent.

IASA TITLE II--AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT

The General Education Provisions Act (GEPA) is simplified, updated, and revised to apply to all ED programs; obsolete provisions are repealed; remaining provisions generally are made consistent and compatible with the provisions of the Department of Education Organization Act, P.L. 96-88. Authorizations for educational research, statistics, and assessment are repealed within GEPA. However, educational statistics and assessments are now authorized under title IV of IASA, discussed below; educational research has been separately authorized through FY 1999 under title IX of Goals 2000. Related technical and conforming amendments are made to other Acts, and an ED Office of Non-Public Education is established.

IASA TITLE III--AMENDMENT TO OTHER ACTS

Part A--Amendments to the Individuals with Disabilities Education Act

The IASA merges the prior law chapter 1 handicapped program (formerly ESEA title I, chapter 1, part D, subpart 2) into the Individuals with Disabilities Education Act (IDEA). IDEA is the principal legislation that provides special education to disabled children (birth through age 21) primarily in regular public schools. The chapter 1 handicapped program previously provided aid for education of children with disabilities in State (primarily special care and residential) institutions. The original intent was to aid severely disabled children including the deaf, blind, mentally retarded, and those with multiple disabilities. Although it was distinct from the IDEA, the chapter 1 handicapped program also provided special education and early intervention services to disabled

[15]ED's share of outlays of all Federal agencies was 2.2 percent in FY 1993.

children, and infants and toddlers who had transferred from institutions to LEAs. The legislation protects those students in programs previously funded by the chapter 1 handicapped program by establishing a **hold harmless** on both State allocations and within-State funds, so that any entity would be guaranteed the funding level received in FY 1994.

The IASA also amends the "stay put" provision of the IDEA in response to concerns about violent behavior of disabled students.[16] The "stay put" provision governs the placement of a disabled student during a formal dispute between school officials and the student's parents over the provision of a free appropriate public education to the student, and requires continuation of the student's placement until the dispute is resolved. The amendment suspends the parents' "stay put" rights otherwise available in instances where it has been determined that their child has brought a weapon to school. The amendment will expire upon the reauthorization of the IDEA, which is anticipated in the 104th Congress. In addition, ED is required to submit a report to Congress on the incidence of violent or life threatening behavior by disabled students by January 31, 1995.

The IASA adds a new program to the IDEA: **Support for Families of Children with Disabilities Act of 1994.** This authorizes family-directed and family-centered services for families of children with disabilities. Its aim is to help enable families make informed choices and decisions with regard to their disabled children. It provides grants to States to set up a statewide system of family support. It establishes State policy councils for families with children with disabilities that encourage State coordination among State agencies and between State agencies and private entities.

Part B--Education for Homeless Children and Youth

The adult education for the homeless program under title VII, subtitle A of the Stewart B. McKinney Homeless Assistance Act (McKinney Act) is amended and extended. Discretionary grants are authorized to SEAs for outreach activities and coordination with other services related to literacy training and academic remediation for homeless adults, similar to provisions in prior law.

The education for homeless children and youth program under title VII, subtitle B of the McKinney Act is amended and extended. This program authorizes formula grants to States, based on State allocations for grants to LEAs under ESEA title I, part A. Funds must be used for State and local programs to provide equal access to a free, appropriate public education for homeless children and youth, including a public preschool education, equivalent to that provided to other children and youth. Grants must also be used to establish an Office of Coordinator of Education of Homeless Children and Youth within each SEA, implement professional development activities for school personnel, and provide each child or youth the opportunity to meet the same State student performance standards that others are expected to meet. Changes include an increase in the minimum State grant from $50,000 to $100,000; the inclusion of services for preschool homeless

---

[16]For more detail and discussion of this issue, see: U.S. Library of Congress. Congressional Research Service. *Violence in Schools and the Individuals with Disabilities Education Act*. CRS Report for Congress No. 94-548 A, by Nancy Lee Jones. Washington, 1994.

children as an authorized activity; an emphasis on providing an opportunity for homeless children and youth to meet the same challenging State student performance standards as other students; and Federal and State reporting requirements changed from every 2 to every 3 years.

Part C--Repeal of Impact Aid Statutes

This part repeals the Impact Aid statutes (P.L. 81-815 and P.L. 81-874). Title VIII of the ESEA, as reauthorized by IASA, now authorizes Impact Aid provisions.

Part D--Amendments to the Adult Education Act

The National Institute for Literacy, authorized by the Adult Education Act, is extended 1 year, through FY 1996, without additional change.

Part E--Higher Education

This part includes a broad array of technical amendments with a focus on higher education. These amendments are to such statutes as the Carl D. Perkins Vocational and Applied Technology Education Act, the Second Morrill Act, and the Higher Education Act. Among several amendments made to the Higher Education Act were renaming the new direct student loan program the William D. Ford Federal Direct Loan program; adding to the statute a definition of "economic hardship" for purposes of student loan deferments that takes into account both income and debt to income ratio of borrowers; and clarifying that lender of last resort loans are to be excluded from guaranty agency reimbursement payment calculations.

This part also amends title X of the Higher Education Act of 1965 by adding a new program of Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders. This program authorizes State grants to assist incarcerated youths (under the age of 25) to become functionally literate and acquire other life skills and employment-related skills. Eligible youth would acquire these skills by pursuing a postsecondary education certificate, an associate of arts, or bachelor's degree while in prison. State grants would also provide employment counseling and other related services during incarceration or prerelease; these may continue through parole.

Part F--Other Acts

This part includes technical amendments to numerous statutes and provisions repealing specific legislation. Among the statutes amended are the Goals 2000: Educate America Act, the Carl D. Perkins Vocational and Applied Technology Education Act, and the Stewart B. McKinney Homeless Assistance Act. Among the legislation repealed are the Fund for the Improvement and Reform of Schools and Teaching Act, the Star Schools Program Assistance Act, and the Indian Education Act of 1988. This part also extends the Demonstration Program for Family Support Centers, authorized by the McKinney Act, with minor amendments through FY 1998; funds are used to establish centers near public housing, with the objective of preventing homelessness.

Part G--Library Services and Construction Reauthorization

The Library Services and Construction Act (LSCA) authorizes aid for public libraries. This provision extends the authorization of appropriations for the LSCA for 1 additional year, through FY 1995. It is assumed that the LSCA will be considered for substantive revision and reauthorization by the 104th Congress.

Part H--Amendments to Statutes Pertaining to Indian Education

Both the BIA and ED administer programs to support and improve the education of Indians. Title IX, part A of the ESEA, as amended by the IASA, reauthorizes the ED-administered programs (see discussion above). Part H includes provisions that revise the BIA-administered programs. Among the significant changes to the Indian education programs operated by the BIA are the following:

- The BIA must update its education standards for BIA schools and then bring the schools up to the new standards. Tribal consultation would be required, and tribes could waive any standards they deem inappropriate as long as they propose alternative standards.

- The BIA must establish two therapeutic model demonstrations providing integrated mental health, education, and social services to at-risk Indian youth attending off-reservation BIA boarding schools. The BIA must operate the demonstrations during the 1994-95 and 1995-96 school years. (The authority for the therapeutic model demonstration schools is in IASA title V, part F.)

- The BIA must conduct a number of studies: a study of BIA school operating costs; a study of alternative methods of allocating resources to BIA schools; and a study of the feasibility of contracting with a private management firm for the operation of BIA schools.

IASA TITLE IV--NATIONAL EDUCATION STATISTICS

The IASA extends the provisions for the National Center for Education Statistics (NCES) within ED's Office of Educational Research and Improvement (OERI). The purpose of NCES is to collect statistics to promote the improvement of American education. The NCES is headed by a Commissioner, appointed by the President with the advice and consent of the Senate. The Commissioner is assisted by an Advisory Council on Education Statistics. The duties of NCES are to collect, analyze, and disseminate education statistics; these activities include the National Assessment of Educational Progress (NAEP) and an annual report on the condition and progress of education in the United States. Under the IASA, the Advisory Council membership is expanded to 21 appointed members from the previous 7, and the National Assessment Governing Board now has 25 members instead of the previous 23. The voluntary State assessments conducted by NAEP, first authorized on a limited, trial basis for 1990, are now authorized indefinitely. The Governing Board continues to be responsible for formulating policy guidelines for NAEP, but must use a "national consensus approach" in developing

assessment objectives and test specifications. Provisions for the NCES and NAEP, now authorized as title IV of the IASA, are similar to those formerly authorized in section 406 of GEPA.

IASA TITLE V--MISCELLANEOUS PROVISIONS

Part A--Albert Einstein Distinguished Educator Fellowship Act of 1994

This part establishes a new U.S. Department of Energy program to award up to 12 fellowships to elementary and secondary math and science teachers. For the annual 10-month period of the fellowships, 3 of the fellowship recipients are to work in the Department of Energy, 2 in the Senate, 2 in the House, and 1 each in ED, the National Institutes of Health, the National Science Foundation, the National Aeronautics and Space Administration, and the Office of Science and Technology Policy. In addition, an environmentally related education program is authorized, establishing a waste management education research consortium.

Part B--Community School Partnerships

The IASA newly authorizes the Community School Partnership Act under which the Secretary is to award a competitive grant to a national entity for the establishment or implementation of area program centers. These centers are to establish local chapters in areas of high-poverty to improve high school graduation rates and attendance at postsecondary education institutions. These chapters are to provide academic support services and postsecondary education financial assistance.

Part C--1994 Institutions

The Equity in Educational Land-Grant Status Act of 1994 provides new land-grant college status to 29 Indian community colleges located primarily in the Northern Plains and the West. These institutions, primarily tribally controlled community colleges, are eligible for funding beginning in FY 1996. Authorized programs include an endowment fund managed by the U.S. Treasury Department and an institutional capacity building grant program operated by the U.S. Department of Agriculture.

Part D--Workers Technology Skill Development

Under the newly authorized Workers Technology Skill Development Act, the Secretary of Labor is to make grants to nonprofit organizations to assist workers, worker organizations, employers, and other entities to evaluate, select, and implement advanced workplace technologies and practices. The ultimate aim of these technologies and practices is to increase worker productivity and to create and maintain "stable well-paying jobs."

Part E--Multiethnic Placement

Among its provisions, the Howard M. Metzenbaum Multiethnic Placement Act of 1994, newly enacted by the IASA, prohibits any federally aided entity involved in adoption or foster care placements from denying any person the opportunity to become an adoptive or foster parent solely on the basis of the race, color, or national origin of the person or the child involved.[17]

Part F--Miscellaneous

This part contains a number of technical provisions. Among these are provisions stipulating that the ED interpretation, as reflected in current regulations, of the Carl D. Perkins Vocational and Applied Technology Act regarding access or participation of special populations in vocational education and local evaluations is to remain in effect until the Perkins Act is reauthorized; authorizing the Secretary of the Interior to support demonstration of the "therapeutic model" of changing the attitudes, behavior, and academic performance of Indians attending off-reservation boarding schools; and temporarily permitting (through September 30, 1997) under the antitrust laws two or more IHEs which admit students on a need-blind basis to enter into an agreement involving specific aspects of their financial aid process.

[17]For background on adoption across races, see: U.S. Library of Congress. Congressional Research Service. *Adoption: Federal Programs and Issues.* CRS Report for Congress No. 91-131 EPW, by Dale H. Robinson. Feb. 1, 1991.

APPENDIX A:
AUTHORIZATIONS AND APPROPRIATIONS

This appendix summarizes the funding levels for the Elementary and Secondary Education Act of 1965 (ESEA) and other programs authorized under the Improving America's Schools Act of 1994 (IASA), P.L. 103-382. Aggregate amounts are shown in the first table. The second table provides individual program authorization and appropriation levels for FY 1995. Eight programs in IASA are first authorized for FY 1996; these are shown in the third table.

AGGREGATE AMOUNTS, FY 1994 AND FY 1995

Table A-1 shows the aggregate amount authorized to be appropriated for FY 1995, along with the FY 1995 appropriation under the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1995 (P.L. 103-333) and related legislation. Separate amounts are shown for ESEA and non-ESEA programs. The comparable FY 1994 appropriation (prior to the IASA) is also provided, with an adjustment made to the FY 1994 amount because the IASA includes some programs within ESEA for FY 1995 that were non-ESEA programs in FY 1994. For example, the Impact Aid programs were separately authorized in FY 1994, but are now part of ESEA. Therefore, both the FY 1994 and FY 1995 ESEA totals include the Impact Aid appropriation ($728 million for both years). The IASA authorized some of the non-ESEA programs for such sums as may be necessary; these programs could not be included in the authorization total.

TABLE A-1. Aggregate Funding Levels for Improving America's Schools Act of 1994 (IASA) and Elementary and Secondary Education Act of 1965 (ESEA) Programs, FY 1994 and FY 1995
(in millions)

Programs	Pre-IASA appropriation FY 1994[a]	IASA authorization FY 1995	IASA appropriation FY 1995[b]
ESEA programs	$9,443	$12,602	$9,963
Non-ESEA programs	$302	$368	$307
IASA total	$9,745	$12,970	$10,269

[a]Please note that the FY 1994, pre-IASA appropriation for ESEA programs has been adjusted for comparability with the ESEA programs as amended by the IASA.

[b]FY 1995 budget authority is based on the provisions of P.L. 103-333; the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1995. These amounts are subject to additional legislative action during the remainder of the fiscal year. FY 1994 and FY 1995 appropriation data are derived from an ED Budget Service table of Sept. 28, 1994

This table was prepared October 1994.

SPECIFIC PROGRAM LEVELS FOR FY 1995

Table A-2 shows the authorization of appropriations for all programs specifically authorized in FY 1995. This table includes programs authorized in FY 1995 for such sums as may be necessary; as in the aggregate funding table, these programs could not be included in the authorization total. Programs are listed in the order they appear in the IASA; title I, containing all the titles of ESEA, is given first, followed by titles II through V of the IASA.

The FY 1995 appropriation shown in Table A-2 is based on the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1995 (P.L. 103-333) and related legislation.[18] The FY 1995 amounts may change because they are subject to additional legislative action during the remainder of the fiscal year. The source for the FY 1995 appropriation is a September 28, 1994, table provided by the U.S. Department of Education (ED) Budget Service.

Please note that the amount of funds, either authorization or budget authority, for any given **program** may differ from the amounts associated with a specific **activity** for several reasons. **First**, the primary objective of one program may be to meet the special needs

[18]For example, funding for Indian education programs generally is provided through the appropriations for the U.S. Department of Interior, but some of these funds are administered by ED.

of a specific group of children, such as those at risk of dropping out of school, or to support one activity, such as professional development. However, several programs list dropout prevention or professional development as authorized uses of funds, with the result that the amount of funds spent on dropout or development activities will be different from the amounts listed in the table for the specific programs. **Second**, several ESEA provisions authorize the shifting of funds. For example, ESEA title XIV, part B, authorizes that unneeded funds from ESEA programs, other than Impact Aid and part A of title I, can be used for another ESEA program, not to exceed 5 percent of the total funds available for the first program. ESEA title XIV, part G, authorizes the Secretary of Education to use up to 0.5 percent of the funds for any non-title I ESEA program to carry out comprehensive evaluations and studies of program effectiveness. **Third**, most ED programs have provisions for administration at the State or local level which will absorb some of the Federal funds that would otherwise be used for more direct program activities. The amounts in the table are only the amounts provided for the specific programs indicated, without adjustment.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
IASA TITLE I--AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (ESEA)		
ESEA Title I--Helping Disadvantaged Children Meet High Standards		
Part A--Improving Basic Programs Operated by Local Educational Agencies (LEAs)	$7,400,000,000	$6,725,916,000[b]
Part B--Even Start Family Literacy	118,000,000	102,024,000
Part C--Education of Migratory Children	310,000,000	305,475,000
Part D--Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At Risk of Dropping Out[c]	40,000,000	39,311,000
Section 1120(e)--Capital Expenses, Private Schools	41,434,000	41,434,000
Section 1501--Evaluations	9,000,000	8,270,000
Sections 1502 and 1503--Innovative Practices and Projects	50,000,000	0
ESEA Title II--Dwight D. Eisenhower Professional Development Program		
Dwight D. Eisenhower Professional Development	800,000,000	356,654,000
ESEA Title III--Technology for Education Act of 1994		
Part A--Technology for Education of All Students		
Subparts 1, 2, and 3--National, State and Local, and Regional Technical Support and Professional Development	200,000,000	40,000,000
Subpart 4--Product Development	50,000,000	0
Part B--Star Schools Act	35,000,000	30,000,000
Part C--Ready-to-Learn Television	30,000,000	7,000,000
Part D--Telecommunications Demonstration Project for Mathematics	5,000,000	2,250,000
Part E--Elementary Mathematics and Science Equipment Act	30,000,000	0
Part F--Elementary and Secondary School Library Media Resources	200,000,000	0

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
ESEA Title IV--Safe and Drug-Free Schools and Communities Act of 1994		
Part A, Subpart 1--State Grants for Drug and Violence Prevention	630,000,000	456,962,000
Part A, Subpart 2--National Programs	25,000,000	25,000,000
ESEA Title V--Promoting Equity		
Part A--Magnet Schools Assistance	120,000,000	111,519,000
Part B--Women's Educational Equity Act of 1994	5,000,000	3,967,000
Part C--School Dropout Assistance Act	50,000,000	28,000,000
ESEA Title VI--Innovative Education Program Strategies		
Innovative Education Program Strategies	370,000,000	347,250,000
ESEA Title VII--Bilingual Education, Language Enhancement, and Language Acquisition Programs		
Part A--Bilingual Education Act	215,000,000	195,200,000
Part B--Foreign Language Assistance Act of 1994	35,000,000	10,912,000
Part C--Emergency Immigrant Education Program	100,000,000	50,000,000
ESEA Title VIII--Impact Aid		
Section 8002--Federal Acquisition of Real Property	16,750,000	16,293,000
Section 8003(b) and (f)--Basic Support and Heavily Impacted LEAs	775,000,000	671,707,000
Section 8003(d)--Children With Disabilities	45,000,000	40,000,000
Section 8006--Increases in Military Dependents	2,000,000	0
Section 8007--Construction	25,000,000	0
Section 8008--Facilities	2,000,000	0
ESEA Title IX--Indian, Native Hawaiian, and Alaska Native Education		
Part A--Indian Education		
Section 9125--Administrative Planning and Development	3,000,000	0

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
Subpart 1--Formula Grants to LEAs	61,300,000	59,686,000
Subparts 2, 3, 4--Special Programs and Projects for Children, for Adults, and for National Research Activities	26,000,000	19,887,000
Subpart 5--Federal Administration	3,775,000	3,768,000
Part B--Native Hawaiian Education Act		
Section 9204--Education Council and Island Councils	500,000	
Section 9205--Family-Based Education Centers	6,000,000	
Section 9206--Higher Education	2,000,000	
Section 9207--Gifted and Talented	1,500,000	
Section 9208--Special Education	2,000,000	
Section 9209--Curriculum Development, Teacher Training, and Recruitment	2,000,000	
Section 9210--Community-Based Education Learning Centers	1,000,000	
Combined appropriation for the Native Hawaiian Education Act (amounts for individual programs are not specified)		12,000,000
Part C--Alaska Native Educational Equity, Support, and Assistance Act		
Section 9304--Planning, Curriculum Development, Teacher Training and Recruitment	5,000,000	0
Section 9305--Home Based Education for Preschool Children	2,000,000	0
Section 9306--Student Enrichment	1,000,000	0
ESEA Title X--Programs of National Significance		
Part A--Fund for the Improvement of Education	50,000,000	36,750,000
Part B--Jacob K. Javits Gifted and Talented Students Education Act of 1994	10,000,000	9,521,000
Part C--Public Charter Schools	15,000,000	6,000,000

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
Part D, Subpart 1--Arts Education	11,000,000	12,000,000
Part D, Subpart 2--Cultural Partnerships for At-Risk Children and Youth	45,000,000	0
Part E--Inexpensive Book Distribution Program	10,300,000	10,300,000
Part F--Civic Education	15,000,000	4,463,000
Law-Related Education--formerly section 1565, title I, ESEA	[d]	5,899,000
Part G--Allen J. Ellender Fellowship Program	4,400,000	4,185,000
Part H--De Lugo Territorial Education Improvement Program	3,000,000	0
Part I--21st Century Community Learning Centers Act	20,000,000	750,000
Part J--Urban and Rural Education Assistance, General	125,000,000	0
Part J--Urban and Rural Education Assistance, Higher Education	25,000,000	0
Part K--National Writing Project	4,000,000	3,212,000
Part L--Extended Time for Learning and Longer School Year	90,000,000	0
Part M--Territorial Assistance for the Virgin Islands	5,000,000	0
ESEA TITLE XI--Coordinated Services		
(no authorization of appropriations)[e]		
ESEA TITLE XII--Education Infrastructure Act of 1994		
School Facilities Improvement	200,000,000	100,000,000
ESEA TITLE XIII--Support and Assistance Programs to Improve Education		
Part A--Comprehensive Regional Assistance Centers	70,000,000	44,541,000
Part B--National Diffusion Network	25,000,000	14,480,000
Part C--Eisenhower Regional Mathematics and Science Education Consortia	23,000,000	[f]

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
Part D--Technology-Based Technical Assistance		
(no authorization of appropriations)		
ESEA TITLE XIV--General Provisions		
(no authorization of appropriations)		
Subtotal, ESEA Programs	$12,601,959,000	$9,962,586,000
IASA TITLE II--AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT		
(no authorization of appropriations)[g]		
IASA TITLE III--AMENDMENTS TO OTHER ACTS		
Part A--Individuals With Disabilities Education Act		
Part I--Families of Children With Disabilities Support Act of 1994	10,000,000	0
Part B--Education for Homeless Children and Youth		
Adult Education for the Homeless	such sums	9,498,000
Education for Homeless Children and Youth	30,000,000	28,811,000
Part C--Repeal of Impact Aid Statutes		
(no authorization of appropriations)		
Part D--Adult Education Act		
(no authorization of appropriations for FY 1995)		
Part E--Higher Education		
Higher Education Act Title X, Part E--Workplace and Community Transition Training for Incarcerated Youth Offenders	5,000,000	0
Part F--Other Acts		
Family Support Center Program	such sums	7,374,000
Part G--Library Services and Construction Reauthorization		
Title I--Public Library Services	100,000,000	83,227,000

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
Title II--Public Library Construction and Technology Enhancement	55,000,000	17,792,000
Title III--Interlibrary Cooperation and Resource Sharing	35,000,000	23,700,000
Title V--Foreign Language Materials Acquisition	1,000,000	0
Title VI--Library Literacy Programs	10,000,000	8,026,000
Title VII--Evaluation and Assessment	500,000	0
Title VIII--Library Learning Center Programs	6,000,000	0
Title VIII, Part A--Family Learning Centers	such sums	0
Title VIII, Part B--Library Literacy Centers	such sums	0
Part H--Indian Education Statutes, Education Amendments of 1978, Title XI, Part B, Bureau of Indian Affairs Programs		
Section 1121--Standards for Basic Education	such sums	0
Section 1122--National Criteria for Dormitory Situations	such sums	0
Section 1125--Facilities Construction	such sums	4,491,405
Section 1128--Administrative Cost Grants	such sums	36,560,037
Section 1143--Early Childhood Development	10,000,000	6,470,617
Section 1144--Tribal Departments of Education	2,000,000	0
IASA TITLE IV--NATIONAL EDUCATION STATISTICS ACT OF 1994		
National Center for Education Statistics	65,000,000	48,153,000
National Assessment of Educational Progress	35,000,000	32,757,000
National Assessment Governing Board	3,000,000	[included above]
IASA TITLE V--MISCELLANEOUS PROVISIONS		
Part A--Albert Einstein Distinguished Educator Fellowship Act of 1994		
Section 515--Fellowship Program	700,000	[b]
Section 517--Waste Management Education Research Consortium	such sums	[b]

Table is continued on following page. Footnotes are given at end of table.

TABLE A-2. Programs Authorized for FY 1995 by the Improving America's Schools Act of 1994 (IASA), and FY 1995 Appropriations[a]

Programs	FY 1995 authorization	FY 1995 appropriation
Part B--Community School Partnership Act		
(no authorization of appropriations for FY 1995)		
Part C--Equity in Educational Land-Grant Status Act of 1994		
(no authorization of appropriations for FY 1995)		
Part D--Workers Technology Skill Development Act		
Workers Technology Skill Development	such sums	0
Part E--Multiethnic Placement: Howard M. Metzenbaum Multiethnic Placement Act of 1994		
(no authorization of appropriations)		
Part F--Miscellaneous		
(no authorization of appropriations)		
Subtotal, Non-ESEA Programs	$368,200,000	$306,860,059
IASA TOTAL	$12,970,159,000	$10,269,446,059

[a]The FY 1995 appropriation is based on the provisions of P.L. 103-333, the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1995; these amounts are subject to additional legislative action during the remainder of the fiscal year.

[b]Part A grants include funds for program improvement and State administration.

[c]In addition, part D activities may receive funds from part A under certain conditions.

[d]Section 10602 of the civic education program authorizes instruction in civics, government, and the law.

[e]A share of funds appropriated for most ESEA programs is authorized to be used for this activity.

[f]For FY 1995, $15 million is reserved from the ESEA title II appropriation for title XIII, part C, regional consortia.

[g]Section 422 of the General Education Provisions Act authorizes a contingent extension of authorizations for applicable programs.

[h]No specific amount was designated for this program in the FY 1995 Department of Energy appropriation.

This table was prepared October 1994.

AUTHORIZATIONS BEYOND FY 1995

Almost all ESEA programs and many of the non-ESEA programs in the IASA are authorized for such sums as may be necessary for each of the fiscal years 1996 through 1999. There are 10 exceptions. Two of these programs are authorized within ESEA, and eight are non-ESEA programs. The authorization details for these programs are as follows.

- ESEA Title IX, section 9125--administrative planning and development, $3 million is authorized annually for FY 1996 through FY 1999.
- ESEA Title X, Part H--De Lugo territorial education improvement program, $3 million is authorized annually for FY 1994 through FY 1999.
- IASA Title III, Part A--Part I of Individuals with Disabilities Education Act, Families of Children With Disabilities Support Act of 1994, such sums are authorized for FY 1996 and FY 1997 only.
- IASA Title III, Part E--Title X, Part E for Workplace and Community Transition Training for Incarcerated Youth Offenders, such sums are authorized for FY 1996 through FY 2000.
- IASA Title III, Part F--Stewart B. McKinney Homeless Assistance Act, Family Support Center Program, such sums are authorized for FY 1994 through FY 1998.
- IASA Title III, Part G--Library Services and Construction Act, all programs are authorized for FY 1995 only.
- IASA Title III, Part H--Indian education programs, sections 1121, 1122, and 1123, such sums are authorized once, with no year specified.
- IASA Title III, Part H--Indian education programs, section 1128, such sums are authorized annually, with no year specified.
- IASA Title IV--National Assessment of Educational Progress, such sums are authorized for FY 1996 and FY 1997 only.
- IASA Title IV--National Assessment Governing Board, such sums are authorized for FY 1996 and FY 1997 only.

The IASA includes eight programs that are authorized for the first time in FY 1996. Two of these programs are part of ESEA, and the others are non-ESEA. Table A-3 lists the eight programs that are first authorized in FY 1996, gives the amount of the FY 1996 authorization, and describes the authority provided, if any, beyond FY 1996. As in table A-2, programs are listed in the order they given in the IASA.

TABLE A-3. Improving America's Schools Act of 1994 (IASA): Programs First Authorized in FY 1996

Programs	FY 1996 authorization	Last year of authorization
IASA Title I--Amendments to ESEA		
Section 1116 and 1117, Additional Assistance for School Improvement	such sums	FY 1999[a]
Section 1125A, Education Finance Incentive Program	200,000,000	FY 1999[a]
IASA Title III, Part D--Amendments to the Adult Education Act		
National Institute for Literacy (1-year extension)	15,000,000	FY 1996[b]
IASA Title V, Part B--Community School Partnership Act		
Community School Partnerships	10,000,000	FY 1996[b]
IASA Title V, Part C--Equity in Educational Land-Grant Status Act of 1994		
Endowment for 1994 Institutions	4,600,000	FY 2000[c]
Department of Treasury Payments to 1994 Institutions	1,450,000	[d]
Additional authority, Equity in Educational Land-Grant Status Act of 1994	5,000,000	[d]
Institutional Capacity Building Grants	1,700,000	FY 2000[e]
TOTAL FOR FY 1996	$237,750,000	

[a]The authorization is for such sums as may be necessary for FY 1997 through FY 1999.

[b]The authorization is for FY 1996 only.

[c]The authorization is $4.6 million annually through FY 2000.

[d]The authorization is for FY 1996, and each fiscal year thereafter.

[e]The authorization is $1.7 million annually through FY 2000.

APPENDIX B:
COMPARISON OF PROVISIONS IN PRIOR LAW WITH THE ESEA, AS AMENDED BY THE IASA

The following table compares provisions of the prior law version of the Elementary and Secondary Education Act (ESEA) and related legislation with the new version of the ESEA, as amended by the Improving America's Schools Act of 1994 (IASA). It shows that approximately 12 new programs are added to the ESEA. Almost all previous ESEA programs, including those proposed for elimination by the Administration, have been continued in at least partially similar form or replaced by similar new programs. While one relatively large program has been eliminated--the ESEA title I, chapter 1 handicapped program--the funding received by State and local agencies will be continued under the Individuals with Disabilities Education Act (IDEA).

TABLE B-1. Major Provisions of the Previous ESEA and Related Legislation, With Comparable Provisions in the ESEA as Amended by the IASA

Elementary and Secondary Education Act (ESEA) and Other Previous Law	The ESEA, as Amended by the Improving America's Schools Act (IASA)
ESEA Title I, Chapter 1--Education for the disadvantaged (including Even Start and State agency programs for migratory, neglected and delinquent children and youth)	ESEA Title I
ESEA Title I, Chapter 1--State agency program for handicapped children and youth	Repealed; provisions consolidated with those of the Individuals with Disabilities Education Act (IDEA)
ESEA Title I, Chapter 2--Block grant	ESEA Title VI
ESEA Title I, Chapter 2, Sec. 1562--National diffusion network	ESEA Title XIII, Part B
ESEA Title I, Chapter 2, Sec. 1563--Inexpensive book distribution program	ESEA Title X, Part E
ESEA Title I, Chapter 2, Sec. 1564-Arts in education	ESEA Title X, Part D-1
ESEA Title I, Chapter 2, Sec. 1565--Law-related education	Provisions of ESEA title X, Part F, Sec. 10602--Instruction in civics, government, and the law--are partially similar[a]
ESEA Title I, Chapter 2, Sec. 1566--Blue ribbon schools	An authorized activity under ESEA Title X, Part A--Fund for the Improvement of Education
ESEA Title II, Part A--Eisenhower mathematics and science education program	ESEA Title II--Eisenhower professional development program, and ESEA Title XIII, Part C--Eisenhower regional mathematics and science education consortia

Table is continued on following page. Footnotes are given at end of table.

TABLE B-1. Major Provisions of the Previous ESEA and Related Legislation, With Comparable Provisions in the ESEA as Amended by the IASA

Elementary and Secondary Education Act (ESEA) and Other Previous Law	The ESEA, as Amended by the Improving America's Schools Act (IASA)
ESEA Title II, Parts B and C--Foreign language education	ESEA Title VII, Part B
Separate authorities for technical assistance under several programs of the ESEA and related legislation	ESEA Title XIII, Part A--Comprehensive regional assistance centers, and ESEA Title XIII, Part D--Technology-based technical assistance
ESEA Title III--Magnet schools	ESEA Title V, Part A
ESEA Title IV, Part A--Women's educational equity	ESEA Title V, Part B
ESEA Title IV, Part B--Javits gifted and talented children program	ESEA Title X, Part B
ESEA Title IV, Part C--Ellender fellowships	ESEA Title X, Part G
ESEA Title IV, Part D--Immigrant education	ESEA Title VII, Part C
ESEA Title IV, Part E--Territorial assistance	ESEA Title X, Parts H and M
ESEA Title IV, Part F--Secretary's Fund for Innovation in Education (including optional tests for academic excellence, technology education, programs for computer-based instruction, programs for the improvement of comprehensive school health education, alternative curriculum schools, innovative alcohol abuse education programs, national geography studies centers, and instruction on the history and principles of democracy in the United States)	ESEA Title X, Part A--Fund for the Improvement of Education (including elementary school counseling demonstration, partnerships in character education pilot project, scholar-athlete competitions, smaller learning communities, national student and parent mock election, and model outreach projects by cultural institutions), and ESEA Title X, Part F--Civic education
ESEA Title IV, Part G--Ready to learn television	ESEA Title III, Part C
ESEA Title V--Drug free schools	ESEA Title IV
ESEA Title VI--Dropout prevention and secondary schools basic skills instruction	ESEA Title V, Part C
ESEA Title VII--Bilingual education	ESEA Title VII, Part A

Table is continued on following page. Footnotes are given at end of table.

TABLE B-1. Major Provisions of the Previous ESEA and Related Legislation, With Comparable Provisions in the ESEA as Amended by the IASA

Elementary and Secondary Education Act (ESEA) and Other Previous Law	The ESEA, as Amended by the Improving America's Schools Act (IASA)
ESEA Title X--General provisions, and Title III, Sec. 311 of P.L. 103-227, the Goals 2000: Educate America Act (Waivers of statutory and regulatory requirements)	ESEA Title XIV (includes Part A--Definitions, Part B--Flexibility in the use of administrative and other funds, Part C--Coordination of programs, consolidated State and local plans and applications, Part D--Waivers, Part E--Uniform provisions, Part F--Gun possession, Part G--Evaluations, and Part H--Sense of the Congress (regarding share of the Federal budget for education and purchase of American-made products))
Follow Through	Repealed, but a new program of Innovative Elementary School Transition Projects is authorized under ESEA title I, part E
Title IX, Education for Economic Security Act--Star Schools	ESEA Title III, Part B
no comparable provision	ESEA Title III, Part A--Technology for education of all students
no comparable provision	ESEA Title III, Part D--telecommunications demonstration project for mathematics
no comparable provision	ESEA Title III, Part E--elementary mathematics and science equipment program
no comparable provision	ESEA Title III, Part F--Library media program
Impact Aid--P.L. 81-874 and 81-815	P.L. 81-815 and 81-874 are repealed, but Impact Aid is reauthorized under ESEA Title VIII
Indian Education Act--Title V, Part C, P.L. 100-297	ESEA Title IX, Part A
Native Hawaiian Education--Title IV of P.L. 100-297	ESEA Title IX, Part B
no comparable provision	ESEA Title IX, Part C--Alaska Native Education
no comparable provision	ESEA Title X, Part C--Public charter schools
no comparable provision	ESEA Title X, Part D-2--Cultural Partnerships for At-Risk Children and Youth

Table is continued on following page. Footnotes are given at end of table.

TABLE B-1. Major Provisions of the Previous ESEA and Related Legislation, With Comparable Provisions in the ESEA as Amended by the IASA

Elementary and Secondary Education Act (ESEA) and Other Previous Law	The ESEA, as Amended by the Improving America's Schools Act (IASA)
no comparable provision	ESEA Title X, Part I--21st century community learning centers
no comparable provision	ESEA Title X, Part J--Urban and rural education assistance
National writing project--Title II, P.L. 102-62	ESEA Title X, Part K
no comparable provision	ESEA Title X, Part L--Extended time for learning and longer school year
no comparable provision	ESEA Title XI--Coordinated services
no comparable provision	ESEA Title XII--School facilities infrastructure improvement

*The current ESEA section 4609, Instruction in the History and Principles of Democracy in the United States, is similar to section 10601 of the ESEA, as amended by P.L. 103-382. Section 10602 of the ESEA, as amended by P.L. 103-382, authorizes a new civic education program that is partially similar to the previous ESEA Title I, Chapter 2, Sec. 1565.